

EXHIBIT 6

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE
Civil Action NO. 16 Civ. 00453 (RGA)

X
ACCELERATION BAY, LLC,

Plaintiff,

v.

ACTIVISION BLIZZARD, INC.,

Defendant.

X

CONFIDENTIAL - OUTSIDE COUNSEL ONLY

TRANSCRIPT of testimony of CHRISTINE S. MEYER,
Ph.D., as taken by and before MELISSA A. MORMILE, a
Certified Realtime Shorthand Reporter and Notary Public of
the States of New Jersey and New York, at the offices of
KRAMER, LEVIN, NAFTALIS & FRANKEL, LLP, 1177 Avenue of the
Americas, New York, New York 10036, on Tuesday, January 23,
2018, commencing at 8:59 in the morning.

Reporter: Melissa A. Mormile - RMR, CCR

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1 understanding was that Dr. Valerdi used inputs that were
2 related to the accused products, which I understand to
3 be video games.
4 Q. The input was just lines of code that
5 he got from Dr. Medvidovic; right?
6 MR. FRANKEL: Objection to form.
7 A. I don't understand that to be the
8 only input to his model, at least, to the best of my
9 understanding.
10 BY MR. ENZMINGER:
11 Q. Other than -- do you have any
12 understanding of how his -- how Dr. Valerdi's model
13 works, other than what is written in your report?
14 A. As I stated earlier in this
15 deposition, I had a discussion with Dr. Valerdi about
16 his model. I've testified here about some of that
17 understanding. To the best -- the best -- to the best
18 of my recollection, I have written some of that in my
19 expert report and I also relied upon the expert report
20 of Dr. Valerdi and didn't completely reproduce that in
21 my report. So those three things, my report itself, my
22 interview with Dr. Valerdi and then, also, his expert
23 report would be the full -- my full understanding.
24 Q. Okay. It's fair to say that the --
25 that the numbers he came up with didn't strike you as

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1 something that you needed to investigate further because
2 of their eye-popping size?
3 MR. FRANKEL: Objection to form.
4 A. I don't understand your question.
5 BY MR. ENZMINGER:
6 Q. What -- your Schedule 4E has
7 development cost of about \$428 million, and you have
8 another -- and you have another expert who says the cost
9 to redesign that software that cost -- that you say cost
10 428 million to design would cost 7 billion to redesign,
11 and that didn't strike you as a bit odd?
12 MR. FRANKEL: Objection to the form of
13 the question and the introductory statement.
14 A. Again, as I -- as I stated earlier in
15 this deposition and tried to be clear, I don't have an
16 understanding that the development costs on 4E --
17 although, again, I -- as I stated before, I would want
18 to go back to double check the underlying source
19 documents. I didn't understand those to be -- to
20 incorporate the full development of the -- for example,
21 in the Call of Duty, the entire Call of Duty.
22 As I -- as I understand, there are
23 elements of the code from version to version that can be
24 and are reused and built upon. So I don't -- it's not
25 my understanding -- although I would have to go back

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1 to -- to double check the underlying source documents,
2 it's not my understanding that that's a comparison that
3 is a valid comparison of numbers.
4 BY MR. ENZMINGER:
5 Q. You mentioned having some discussions
6 with Dr. Bims?
7 A. I -- to the best of my recollection,
8 I had a discussion with Dr. Bims in this matter, yes.
9 Q. How many discussions have you had
10 with Dr. Bims?
11 A. Looking at my -- Footnote 6 to my
12 initial report, my recollection is that I had one
13 discussion with Dr. Bims prior to the submission of my
14 initial report. I don't have in front of me my reply
15 report, but my -- to the best of my recollection, I had,
16 at least, one other discussion with Dr. Bims prior to
17 the filing of my reply report, but I would have to check
18 that report to be sure.
19 Q. In Exhibit 1, you just referenced
20 Footnote 7 -- or 6, and I wanted to direct your
21 attention to Footnote 7, also, of your report -- your
22 report, Exhibit 1.
23 There's a reference to a Dr. Eric Cole?
24 A. Correct.
25 Q. Who is Dr. Cole?

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1 A. I understand that Dr. Cole is a
2 technical expert in this matter.
3 Q. Is Dr. Cole also a technical expert
4 in the other Kramer Levin cases on which you have been
5 retained?
6 A. Similar to my answer previously with
7 regards to other individuals, I certainly understand
8 and -- and recall, as I sit here today, that Dr. Cole
9 was a technical expert in, at least, some of those
10 cases. I can't confirm whether or not he was an expert
11 in all of those cases.
12 Q. He was an expert in the -- in the
13 Finjan cases for which you were -- were also retained;
14 right?
15 A. I certainly recall that he was an
16 expert in one of the Finjan cases that I -- on which I
17 was retained. I don't recall whether he was -- was an
18 expert on all the Finjan cases.
19 Q. What do you recall from your
20 discussions with Dr. Bims?
21 A. To the extent that I relied on
22 something regarding my discussion with Dr. Bims, those
23 would be found specifically in the footnotes to my
24 reports. So I would just indicate that -- that I am
25 certainly happy to -- to attempt to provide a summary of

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DECLARATION UNDER PENALTY OF PERJURY

I, CHRISTINE S. MEYER, PH.D., do hereby certify under penalty of perjury that I have read the foregoing transcript of my deposition taken on January 23, 2018; that I have made such corrections as appear noted on the Deposition Errata Page, attached hereto, signed by me; that my testimony as contained herein, as corrected, is true and correct.

Dated this 15th day of February,
2018, at White Plains, New York.



CHRISTINE S. MEYER, PH.D.

DEPOSITION ERRATA SHEET

Page No. 20 Line No. 14

Change: from a lay terminology, I would call them metrics

Page No. 29 Line No. 11

Change: Dr. Valerdi's. I wouldn't be surprised one way or

Page No. 29 Line No. 12

Change: another. That's his area of expertise in terms of coming

Page No. 34 Line No. 7

Change: about a certain particular topic.

Page No. 75 Line No. 13

Change: and it's quite clear in my report, in a standard

Page No. 81 Line No. 11

Change: characterize my reading of the patent as cover to cover. I

Page No. 82 Line No. 23

Change: network or adding, being added to the network. I

Page No. 131 Line No. 4

Change: that is a question to me that is a legal question as

Page No. 139 Line No. 22

Change: that's the date on which the negotiation is assumed to

Page No. 153 Line No. 22

Change: personal computer, the Xbox 360 and the Xbox One. And I



February 15, 2018

Christine S. Meyer, Ph.D.

Dated

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